

DECLARATION OF JOSEPH ANDERSON

I, Joseph Anderson, declare pursuant to 28 U.S.C. § 1746 as follows:

1. I have personal knowledge of the matters stated herein, and they are true and correct to the best of my knowledge. I authorize the use of this Declaration in connection with the above-captioned lawsuit.

2. I currently hold the title of Vice President (Trade Relations) with CaremarkPCS Health, L.L.C., and have previously held roles as Director and Senior Director of Trade Relations.

3. In that capacity, I am familiar with the business operations of CaremarkPCS Health, L.L.C. relating to rebates negotiations with pharmaceutical manufacturers and formulary construction.

4. CaremarkPCS Health, L.L.C. negotiates with pharmaceutical drug manufacturers in order to obtain rebates that help offset the cost of prescription drugs. Those negotiations culminate in the formation of contracts (“Rebate Agreements”) between the manufacturer and CaremarkPCS Health, L.L.C. that set forth the terms and conditions that govern rebate payments by the manufacturer.

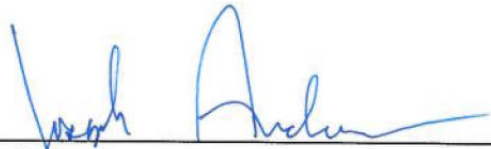
5. CaremarkPCS Health, L.L.C. does not negotiate separate Rebate Agreements for each of its clients. Rebate Agreements are structured so as to cover a range of different clients and different formulary possibilities, including standard and custom formularies.

6. Although the exact mix of clients covered by each Rebate Agreement negotiated by CaremarkPCS Health, L.L.C. has changed over time, the agreements cover clients that offer health plans through the FEHBA clients, and are not exclusively limited to FEHBA clients. For most of the time period during which the State alleges insulin prices increased, the same Rebate Agreements that covered FEHBA clients also covered most or all of CaremarkPCS Health, L.L.C.’s commercial clients.

I declare under penalty of perjury under the laws of the United States of

1 America that the foregoing is true and correct.

2 Executed this 9th day of October, 2024, in Illinois.

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